

**R e m a r k s**

Claims 1-4, 6-17 and 19 are pending in the application.

Claims 1-3, 7, 8, 16 and 17 under 35 U.S.C. 103(a) as being unpatentable over Rekhter et al. (US 7,369,556 B1 hereinafter Rekhter) in view of Fangman et al. (US 2002/0150083 A1, hereinafter Fangman).

Claims 6, 9-15 and 19 are objected to.

Each of the various rejections and objections are overcome by amendments that are made to the specification, drawing, and/or claims, as well as, or in the alternative, by various arguments that are presented.

Any amendments to any claim for reasons other than as expressly recited herein as being for the purpose of distinguishing such claim from known prior art are not being made with an intent to change in any way the literal scope of such claims or the range of equivalents for such claims. They are being made simply to present language that is better in conformance with the form requirements of Title 35 of the United States Code or is simply clearer and easier to understand than the originally presented language. Any amendments to any claim expressly made in order to distinguish such claim from known prior art are being made only with an intent to change the literal scope of such claim in the most minimal way, i.e., to just avoid the prior art in a way that leaves the claim novel and not obvious in view of the cited prior art, and no equivalent of any subject matter remaining in the claim is intended to be surrendered.

Also, since a dependent claim inherently includes the recitations of the claim or chain of claims from which it depends, it is submitted that the scope and content of any dependent claims that have been herein rewritten in independent form is exactly the same as the scope and content of those claims prior to having been rewritten in independent form. That is, although by convention such rewritten claims are labeled herein as having been "amended," it is submitted that only the format, and not the content, of these claims has been changed. This is true whether a dependent claim has been rewritten to expressly include the limitations of those claims on which it formerly depended or whether an independent claim has been rewritten to include the limitations of claims that previously depended from it. Thus, by such rewriting no equivalent of any subject matter of the

original dependent claim is intended to be surrendered. If the Examiner is of a different view, he is respectfully requested to so indicate.

**Rejection Under 35 U.S.C. 103**

Claims 1-3, 7, 8, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rekhter in view of Fangman. The rejection is traversed.

Applicants have herein amended independent claims 1 and 16 to include the limitations of Applicants' claim 6. Claim 1 has been amended to include the limitation of "including collecting and analyzing dialed digits of the terminating point to determine whether a PSTN gateway function or an inter-VPN gateway function processes the voice call." Claim 16 has been amended to include the limitation of "wherein said soft-switch is adapted for collecting and analyzing dialed digits of said terminating point to determine whether a PSTN gateway function or an inter-VPN gateway function processes the voice call."

Rekhter and Fangman, alone or in combination, fail to teach or suggest Applicants' claims 1 or 16, as a whole.

Rekhter discloses a router for virtual private networking using tag switching. Rekhter is devoid of any teaching or suggestion of voice calls or voice packets. Thus, Rekhter also fails to teach or suggest the limitations of "including collecting and analyzing dialed digits of the terminating point to determine whether a PSTN gateway function or an inter-VPN gateway function processes the voice call" and "wherein said soft-switch is adapted for collecting and analyzing dialed digits of said terminating point to determine whether a PSTN gateway function or an inter-VPN gateway function processes the voice call," as claimed in Applicants' claims 1 and 16, respectively.

Fangman fails to bridge the substantial gap between Rekhter and Applicants' claims 1 and 16.

Fangman discloses an IP telephony system supporting internal and external call sessions in which the system distinguishes between internal and external call sessions by comparing public IP addresses of a first Media Gateway and a second Media Gateway where the first Media Gateway is selected based on the source IP address and the second Media Gateway is selected based on the destination telephone number.

Fangman, however, is devoid of any teaching or suggestion of collecting and analyzing dialed digits of a terminating point to determine whether a PSTN gateway function or an inter-VPN gateway function processes the voice call for which the digits were dialed. Thus, Fangman fails to teach or suggest the limitations of “including collecting and analyzing dialed digits of the terminating point to determine whether a PSTN gateway function or an inter-VPN gateway function processes the voice call” and “wherein said soft-switch is adapted for collecting and analyzing dialed digits of said terminating point to determine whether a PSTN gateway function or an inter-VPN gateway function processes the voice call,” as claimed in Applicants’ claims 1 and 16, respectively.

Therefore, since Rekhter and Fangman each fail to teach or suggest the limitations of “including collecting and analyzing dialed digits of the terminating point to determine whether a PSTN gateway function or an inter-VPN gateway function processes the voice call” and “wherein said soft-switch is adapted for collecting and analyzing dialed digits of said terminating point to determine whether a PSTN gateway function or an inter-VPN gateway function processes the voice call,” any combination of Rekhter and Fangman also must fail to teach or suggest the limitations of “including collecting and analyzing dialed digits of the terminating point to determine whether a PSTN gateway function or an inter-VPN gateway function processes the voice call” and “wherein said soft-switch is adapted for collecting and analyzing dialed digits of said terminating point to determine whether a PSTN gateway function or an inter-VPN gateway function processes the voice call,” as claimed in Applicants’ claims 1 and 16, respectively.

As such, independent claims 1 and 16 are patentable under 35 U.S.C. 103 over Rekhter in view of Fangman. Furthermore, since all of the dependent claims that depend from the independent claims include all the limitations of the respective independent claim from which they ultimately depend, each such dependent claim is also allowable over Rekhter in view of Fangman.

Therefore, Applicants’ claims 1-4, 7-17, and 19 are patentable under 35 U.S.C. 103(a) over Rekhter in view of Fangman. The Examiner is respectfully requested to withdraw the rejection.

**Allowable Subject Matter**

Claims 6, 9-15 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants have herein amended independent claims 1 and 16 to include the limitations of Applicants' claim 6. Accordingly, Applicants respectfully submit that all claims are allowable.

**Conclusion**

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, the Examiner is invited to call Michael Bentley or Eamon Wall at (732) 530-9404 so that arrangements may be made to discuss and resolve any such issues.

Respectfully submitted,

Dated: \_\_\_\_\_

*8/19/08*

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